IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.17318 of 2008
RAJESH KUMAR
Versus
STATE OF BIHAR
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3 02/09/2008 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is in custody since 14.12.2007 in a case which has been registered under section 409 of the Indian Penal Code. The petitioner is sole named accused. The allegation is that the petitioner has neither executed the work nor submitted the utility certificate so it was suspected that the amount was embezzled.

Submission is that the petitioner was a candidate on the eve of Panchayat election and when he lost then with a view to put pressure upon him the police case was lodged. The fact is that the petitioner has appointed Ganesh Das as executant of the scheme. The amount was paid to the contractor. Measurement book was prepared by the Junior Engineer and as per the measurement book work of Rs. 1,81,579/- was done but due to some differences with the Junior Engineer the false allegation has been levelled.

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Considering the facts and circumstances of the case, the petitioner Rajesh Kumar is directed to be released on bail on furnishing of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Darbhanga in connection with Jale P.S. Case No. 11 of 2007.

avin **(Shyam Kishore Sharma, J.)**